

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MICHAEL BAVLSIK, M.D. and  
KATHLEEN SKELLY,**

**Plaintiffs,**

**vs.**

**GENERAL MOTORS LLC,**

**Defendant.**

**Case No. 4:13-CV-00509-DDN**

**JOINT STIPULATED FACTS  
AND SUMMARY OF CASE FOR VOIR DIRE**

1. Dr. Michael Bavlsik and his wife Kathleen Skelly are Missouri residents. Dr. Bavlsik and Ms. Skelly are the Plaintiffs in this case.
2. General Motors LLC is a Delaware company, headquartered in Michigan. General Motors designs and manufactures motor vehicles. General Motors LLC is the Defendant.
3. On July 18, 2003, Dr. Bavlsik purchased a 2003 GMC Savana van. The Savana van is a twelve passenger van. It was designed and manufactured in part and assembled into final form by General Motors. General Motors sold the van to an authorized GM dealer for sale to the public.
4. On July 7, 2012 at 9:20 a.m., Dr. Bavlsik was involved in a motor vehicle accident while driving his 2003 GMC Savana van in Becker County, Minnesota.
5. At the time of the accident, Dr. Bavlsik was driving part of a group of boy scouts from camp in Minnesota to briefly visit Itasca State Park before returning home to St. Louis.

6. Dr. Bavlsik's van collided with a fishing boat and trailer being towed by a pickup truck.

7. After the collision with the fishing boat and trailer, the van turned counterclockwise and rolled over as it left the road.

8. The van rolled  $\frac{3}{4}$  of a complete roll.

9. Dr. Bavlsik sustained a cervical spinal cord injury during the rollover.

### **SUMMARY FOR VOIR DIRE**

Plaintiffs Dr. Michael Bavlsik and his wife, Kathleen Skelly, filed this lawsuit against General Motors LLC. Dr. Bavlsik was involved in a motor vehicle accident while driving his 2003 GMC Savana van. The van was designed and manufactured in part and assembled into final form by General Motors. General Motors sold the van to an authorized GM dealer for sale to the public. The accident occurred on July 7, 2012 in Becker County, Minnesota. At the time of the accident, Dr. Bavlsik was driving part of a group of boy scouts from camp in Minnesota to briefly visit Itasca State Park before returning home to St. Louis. The van collided with a fishing boat and trailer being towed by a truck. After that collision, the van turned counterclockwise and rolled over as it left the road. Dr. Bavlsik sustained a cervical spinal cord injury during the rollover.

Plaintiffs allege that General Motors was negligent in designing the 2003 GMC Savana van and that the van was defective and unreasonably dangerous. Specifically, Plaintiffs allege that the design of the seat belt caused Dr. Bavlsik's cervical spinal cord injury. Defendant General Motors denies these allegations and asserts that the design of the vehicle, including its occupant restraint system, was reasonable and appropriate and did not cause the plaintiff's injury.

Respectfully Submitted,

**THE SIMON LAW FIRM, PC**

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 3rd day of September 2015, the foregoing was filed electronically with the Clerk of the Court to be served via operation of the Court's electronic filing system to all counsel of record.

/s/ Kevin M. Carnie Jr.